IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 9139 of 2007(K)

PETITIONER:

ANTONY BIJU, S/O.JOSEPH AGED 35 YEARS,
CHADAYAMMURI HOUSE, ELAMAKKARA DESOM,
EDAPPALLY SOUTH VILLAGE, KANAYANNOOR TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS:
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1. DEPUTY CHIEF ENGINEER,
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL CIRCLE, ERNAKULAM.

2. THE SUB ENGINEER,
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL SECTION,
EDAPPALLY, ERNAKULAM.

BY ADV. SRI. JOSE J. MATHEAKEL, SC KSEB.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).No.9139 of 2007-K

Dated this the 21st day of March, 2007

JUDGMENT

The petitioner is aggrieved by Ext.P2 provisional bill demanding an amount of Rs.49,385/- and also the disconnection of power supply to his premises. The said demand has been raised on the allegation of theft based on the inspection held by the Anti Power Theft Squad. The petitioner denies the allegations and prays for re-connection of the power supply. He has filed Ext.P3 representation before the first respondent.

2. Heard the learned Standing Counsel for the K.S.E.B. The learned Standing Counsel, upon instruction, submitted that this is an admitted case of theft and therefore the power supply was disconnected and that Ext.P2 bill has been issued validly. It is also submitted that Ext.P3 has not so far been received by the first respondent.

3. Ext.P2 being a provisional bill, the remedy of the petitioner is to file objection against it, before the Assistant Engineer concerned. In that event, the said Officer will consider and pass orders in accordance with law, within one month from the date of production of a copy of this judgment. If the petitioner pays one-third of the

amount demanded under Ext.P2, the power supply shall be restored forthwith. The petitioner shall file the objection against Ext.P2, before the Assistant Engineer, within one week from today.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS